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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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JOSEPH CRACCO,

PLAINTIFF,

-against- Case No:
1:14-CV-08235-PAC

THE CITY OF NEW YORK, Police Officer
JONATHAN CORREA, Shield 7869, Transit
Division District 4, and Police Officer
JOHN DOE (a fictitious name),

DEFENDANTS.
-----X

DATE: May 11, 2016
TIME: 2:05 P.M.

DEPOSITION of a Non-Party
Witness, JARED SIPPEL, taken by the
Defendants, pursuant to a Notice and to the
Federal Rules of Civil Procedure, held at
the offices of the New York County,
District Attorney's Office, Special
Litigation Bureau, 80 Centre Street, New
York, New York 10013, before Deborah
Garzaniti, a Notary Public of the State of
New York.

1 J. SIPPEL

2 New York City because it was showing a
3 weapon essentially, and then when he took
4 it from him, after he asked him what did he
5 have it for, what was he using it for, that
6 he didn't know if he was using it to hold
7 someone up in the station or not. Joe
8 explained that it was for box cutting and
9 essentially we were opening a market in a
10 restaurant and opening boxes all day long
11 and he had that pocket knife for many years
12 as a work knife in the kitchen and whatnot,
13 and that is when the officer went on to
14 explain about a gravity knife, how it could
15 flip open and that --

16 Q. For the record, can you
17 describe the motion that you just made with
18 your right wrist?

19 A. Like this (indicating). He
20 said it has to be -- if you can get it to
21 open like it is a free -- like that is what
22 a gravity knife is, you use the gravity by
23 flicking your wrist to get it to open.

24 Q. For the record, you were
25 flicking your wrist in a downward motion

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2 away from your body?

3 A. Yes. He was doing this
4 (indicating).

5 Q. So the officer explained to you
6 that if a knife opened in that manner, then
7 it would be a gravity knife and it would be
8 illegal under New York law; correct?

9 A. To my understanding, to my
10 remembrance, yes.

11 Q. Then you testified that the
12 officer had trouble doing the motion that
13 he described to you; correct?

14 A. Yes. It was kind of like he
15 was explaining what it was. It was not
16 working for him. It took multiple tries to
17 actually get the knife to open. It did
18 eventually open.

19 Q. When you say "multiple tries,"
20 do you mean multiple flicks of the
21 officer's wrist?

22 A. Yes.

23 Q. How many attempts did it take
24 to open the knife?

25 A. I would say at least four, if

1 J. SIPPEL

2 not more. That is what made it kind of why
3 Joe was kind of not arguing, but inquiring
4 like what you are saying you can't even do
5 and then it happened.

6 Q. So going back to your
7 understanding of the nature of the lawsuit,
8 you mentioned that you understand Mr.
9 Cracco's claims to be based on the fact
10 that the knife was not a gravity knife?

11 A. Or that he was wrongfully
12 arrested for a gravity knife when it
13 technically isn't.

14 Q. Are there any other issues that
15 you understand this lawsuit to address,
16 besides whether or not Mr. Cracco was
17 falsely arrested?

18 A. No, because that is the only
19 thing I was under the impression of him
20 being arrested for, was for carrying a
21 gravity knife in New York City.

22 Q. Are you aware that the District
23 Attorney is also a Defendant in this
24 lawsuit?

25 A. No, not until you told me that.